

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

09/588,407

Examiner

Steven D. Maki

Applicant(s)

BLACKMORE ET AL.

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 30 March 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: Claim 18 does not include markings such as strikethrough indicating changes.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Advisory Action Attachment

The new issues include:

- (1) In claim 1, adding --for in situ repair of pipe shaped objects-- after "inflation chamber";
- (2) In claim 1, deleting --said flexible matrix being cured to a stable elastomeric state--;
- (3) In claim 3, changing "said fibers are carbon fibers" to --said fibers consist essentially of carbon fibers, graphite fibers, carbon filaments, or graphite filaments--;
- (4) In claim 12, adding --for curing the prepreg repair material for internal in situ repair of conduit-- after "inflation chamber";
- (5) In claim 18, adding "filament wound carbon fibers, graphite fibers, carbon filaments or graphite filaments" instead of --filament wound carbon fibers, filament wound graphite fibers, filament wound carbon filaments or filament wound graphite filaments--.
- (6) In claim 14, adding --non-conductive--;
- (7) In claim 26, changing "an elastomeric seamless composite closed body" to --an elastomeric seamless composite closeable body for internal in situ repair of pipe shaped objects--;
- (8) In the specification, adding --non-conductive-- in the paragraph beginning at line 28 of page 11.

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New issues 6-8 identified above also raise issues of new matter.

The remaining changes in the after final amendment filed 3-30-05 do not raise new issues and would be entered if presented in an after final amendment which does not raise new issues.

Remarks

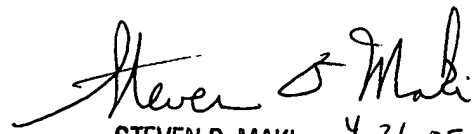
The substitute specification has not been entered since (1) no marked up copy of the specification has been provided; (2) the substitute specification is not a clean copy (page 12 contains underlining); (3) the substitute specification does not include the changes filed 9-19-02; and (4) the substitute specification was not accompanied by a statement indicating that no new matter was included.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven D. Maki whose telephone number is (571) 272-1221. The examiner can normally be reached on Mon. - Fri. 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571) 272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Steven D. Maki
April 26, 2005


STEVEN D. MAKI 4-26-05
PRIMARY EXAMINER
~~GROUP 1300~~
AU 1733